

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CRYSTAL SASHINGER,

Plaintiff

v.

LOGAN, et al.,

Defendants

Case No.: 2:24-cv-00926-APG-EJY

**Order Dismissing Action  
Without Prejudice**

**I. DISCUSSION**

Plaintiff Crystal Sashinger has filed a motion to consolidate this case with 2:24-cv-00886-GMN-NJK. ECF No. 6. Sashinger asserts that she filed duplicative cases because she did not know that she was supposed to use e-filing instead of mailing her case to the court. *Id.* To avoid future confusion, she seeks to consolidate these identical cases. *Id.*

After receiving the instant case in the mail, the Clerk's Office docketed this case on May 16, 2024. ECF No. 1-1. After receiving Sashinger's other case, 2:24-cv-00886-GMN-NJK, through e-filing, the Clerk's Office docketed that case on May 13, 2024. *See Sashinger v. Logan*, 2:24-cv-00886-GMN-NJK at ECF No. 1-1.

"Plaintiffs generally have no right to maintain two separate actions involving the same subject matter at the same time in the same court and against the same defendant." *Adams v. Cal. Dep't of Health Servs.*, 487 F.3d 684, 688 (9th Cir. 2007), *overruled on other grounds by Taylor v. Sturgell*, 553 U.S. 880 (2008) (internal quotation marks omitted). Courts have "discretion to dismiss a duplicative later-filed action, to stay that action pending resolution of the previously filed action, to enjoin the parties from proceeding with it, or to consolidate both actions." *Id.* (internal quotation marks omitted). "[I]n assessing whether the second action is duplicative of

1 the first, we examine whether the causes of action and relief sought, as well as the parties or  
2 privies to the action, are the same.” *Id.* at 689.


3 Here, Sashinger acknowledges that she mistakenly filed duplicative lawsuits because she  
4 both mailed and e-filed her lawsuits.<sup>1</sup> Because Sashinger cannot maintain both identical lawsuits  
5 in this court, I will dismiss this action, the latter-filed action, without prejudice. Sashinger is  
6 directed to pursue her claims in her earlier-filed lawsuit, 2:24-cv-00886-GMN-NJK.

7 **II. CONCLUSION**

8 I THEREFORE ORDER that this action is dismissed without prejudice because  
9 Sashinger mistakenly filed a duplicative action in this court. Sashinger is directed to pursue her  
10 claims in her earlier-filed case, 2:24-cv-00886-GMN-NJK.

11 I ORDER that the Clerk of the Court close this case.

12  
13 DATED this 29th day of May, 2024.

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15   
16 ANDREW P. GORDON  
17 UNITED STATES DISTRICT JUDGE  
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<sup>1</sup> Because Sashinger mistakenly filed duplicative lawsuits and promptly notified the court, this dismissal does not constitute a strike under 28 U.S.C. § 1915(g).